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12 Attorneys for Plaintiff

13 UNITED STATES DISTRICT COURT
14 NORTHERN DISTRICT OF CALIFORNIA
15 SAN FRANCISCO DIVISION

16 UNITED STATES OF AMERICA,) No. CR 06-0144 JSW

17 Plaintiff,)

18 v.)

19 RENATO MENDOZA MEDINA,)

20 a/k/a Rene Mendoza Medina,)

21 PHYLLIS REYES CUISON,)

22 a/k/a Phyllis Cundangan Reyes, and)

23 RAWLIN CUNDANGAN REYES,)

24 Defendants.)

25 **STIPULATION AND
[PROPOSED] ORDER REGARDING
EXCLUSION OF TIME**

26 The parties, including the defendants in the above captioned case, came before the Court for a
27 status/trial setting appearance on August 17, 2006. The matter was set over until September 28,
28 2006 at 2:30 p.m. before the Court for a motions hearing and November 20, 2006 at 10a.m. for
further motions hearing. The parties agreed, and the Court found, that the time between August
17, 2006 through November 20, 2006 is properly excluded under the Speedy Trial Act, Title 18,
United States Code, Sections 3161(h)(8)(A), (h)(B)(ii) and (iv), and 3161(h)(1)(F). The parties
agree, and the Court previously found that, that the case was complex, due to the nature of the

29 STIPULATION AND [PROPOSED]
30 ORDER REGARDING EXCLUSION OF TIME
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1 crime, the number of different entities, bank accounts, and identities involved, and the large
2 amount of discovery which the defense needs to review. The defendants represented that this
3 delay is necessary so that they can continue to review discovery and prepare defense motions, to
4 be filed no later than August 24, 2006, and September 28, 2006 respectively. The time is
5 necessary to prepare their motions, in light of the complexity of the case and the fact that defense
6 counsel will be unavailable during a portion of this period to work on the case due to other
7 conflicts. The time from August 24, 2006 through September 28, 2006, and the time from
8 September 28, 2006 through November 20, 2006, will further be tolled based on the delay
9 resulting from the filing of pretrial motions through the conclusion of the hearings set on
10 September 28, 2006 and on November 20, 2006, respectively. Due to the complexity of this
11 matter, the need for the defendants to prepare their case by reviewing the voluminous discovery
12 and preparing and filing pretrial motions, failure to grant the requested continuance would
13 unreasonably deny the defense the reasonable time necessary for effective preparation. The
14 parties agree that the continuance from August 17, 2006 through November 20, 2006 is also
15 necessary due to continuity of defense counsel, given the need for defense counsel to spend time
16 preparing the instant case and other cases during this time period. The parties agree that the ends
17 of justice served by granting the requested continuance outweigh the best interest of the public
18 and the defendants in a speedy trial.

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20 DATED: 8/22/06

/S/ Christina Hua
CHRISTINA HUA
Assistant United States Attorney

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23 DATED: 8/22/06

/S/ Cristina C. Arguedas
CRISTINA C. ARGUEDAS
Counsel for Renato Mendoza Medina

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25 DATED: 8/22/06

/S/ Lidia Stiglich
LIDIA STIGLICH
Counsel for Rawlin Cundangan Reyes

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28 STIPULATION AND ~~PROPOSED~~
ORDER REGARDING EXCLUSION OF TIME
[CR 06-0144] [JSW]

1 DATED: 8/22/06

/S/ Ann C. Moorman
2 ANN MOORMAN
Counsel for Phyllis Reyes Cuisin

3 ORDER

4 For the foregoing reasons, and as stated on the record at the August 17, 2006 hearing in this
5 matter, the Court HEREBY ORDERS that the period between August 17, 2006 through
6 November 20, 2006 is excluded from the speedy trial calculation under Title 18, United States
7 Code, Sections 3161(h)(8)(A), (h)(B)(ii) and (iv), and 3161(h)(1)(F). The Court finds that the
8 failure to grant the requested continuance would unreasonably deny defense counsel the
9 reasonable time necessary for effective preparation of the pretrial motions to be filed on August
10 24, 2006, and September 28, 2006, given the complexity of this case and the need for continuity
11 of counsel. Time is also tolled due to the delay resulting from the filing of pretrial motions
12 through the conclusion of the hearings on the motions currently set for September 28, 2006, and
13 November 20, 2006, respectively. The Court finds that the ends of justice served by granting the
14 requested continuance outweigh the best interest of the public and the defendants in a speedy trial
15 and in the prompt disposition of criminal cases.

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17 IT IS SO ORDERED.

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19 DATED: August 23, 2006

JEFFREY S. WHITE
20 United States District Judge


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28 STIPULATION AND ~~PROPOSED~~
ORDER REGARDING EXCLUSION OF TIME
[CR 06-0144] [JSW]